

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Appellants : Ivan KING and Li-Mou ZHENG
U.S. Serial No. : 10/738,423
Confirmation No. : 8783
Filed : December 16, 2003
Art Unit : 1633
Examiner : Qian Janice Li
For : COMPOSITIONS AND METHODS FOR TUMOR-TARGETED DELIVERY OF EFFECTOR MOLECULES

Law Offices of Albert Wai-Kit Chan, PLLC
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June 29, 2009

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir/Madam:

**APPELLANTS' AMENDMENT TO THE CLAIMS AFTER APPEAL
PURSUANT TO 37 CFR § 41.33(b)**

Appellants submit the following Claims Amendment in accordance with 37 CFR § 41.43(b) in conjunction with the Reply Brief submitted herewith. 37 CFR 41.33(b) states that Amendments filed on or after the date of filing an appeal brief pursuant to § 41.37 may be admitted (1) to cancel claims, where such cancellation does not affect the scope of any other pending claims in the proceeding, or (2) to write dependent claims into independent form. Appellants submit that because the amendments are cancelling claim duplicate claims 122, as well as 123 and 124, this amendment is properly made.

Appellants : KING and ZHENG
USSN : 10/738,423
Filed : 12/16/2003
Examiner : Qian Janice Li
Page : 2

Atty. Dkt. No. : 873-Z-US
Art Unit : 1633
Date of Supplemental Examiner's Answer: May 11, 2009
Date of Supplemental Reply Brief : June 29, 2009

Claim Amendment Fee Calculation

	Claims remaining after amendment	Highest No. Previously Paid	Extra	Rate (Large Entity)	Rate (Small Entity)	Additional Fee
Total	7	- 20	0	X \$52.00	X \$26.00	\$0.00
Ind.	1	- 4	0	X \$220.00	X \$110.00	\$0.00

Amendments to the claims begin on page 3 of this communication

Remarks begin on page 5 of this communication